

TOWN OF BOW MAR, COLORADO
BOARD OF TRUSTEES
MINUTES OF THE REGULAR MEETING ON AUGUST 15, 2011

CALL The regular meeting of the Board of Trustees of the Town of Bow Mar was called for Monday, August 15, 2011, Mayor Rick Pilgrim presiding. The meeting was held at No. 2 Middlefield Road, Columbine Valley, Colorado.

A quorum was declared present at 7:04 p.m.

PRESENT	Mayor	Rick Pilgrim
	Trustees	Merle McKittrick
		John Giese
		Gary Guilford
		Elizabeth Tulloch
		Carrie McLaughlin
		Rick Wilkins - absent
	Attorney	Hugh Gottschalk- absent
	Clerk/Treasurer	Karen Reutzel
	Police Chief	Bret Cottrell
	BMOI Rep.	Jane Carlson
	Citizens	Hal Kepner, Jonathan Bush

Mayor Pilgrim led the group in the Pledge of Allegiance. The July Minutes and Treasurer's Report were approved. Guilford/Tulloch/Unanimous.

Public Comment Hal Kepner expressed his thoughts about the proposed road repavement plan. He does not think most roads have structural problems. He suggested that the Town talk to two or three good asphalt contractors and to reconsider chip sealing as an option. He did read the engineer's road report and think they did a good and thorough job. He stated he would support a road project regardless of the method decided upon.

Jonathan Bush gave an update on the petition to amend the covenants to allow chicken hens. It was reported that the group seeking the change has obtained 200 signatures and need about 242. They hope to have all necessary signatures in a few weeks, before the Labor Day deadline.

Commissioner Reports

Public Safety Commissioner Gary Guilford and Police Chief Bret Cottrell reported that there were 141 summons during July including 66 in Bow Mar and 35 calls for service. Chief Cottrell reported there was a DUI accident at the Belleview traffic circle and a motor vehicle theft off Aspen. There were also some overly aggressive

solicitors and a grass fire in Mary's Meadow that the police dealt with, among other matters.

Gary Guilford asked for an update regarding the boundary issue on Sheridan. Chief Cottrell reported that the Town of Columbine's engineers have been looking into it and the Town would be meeting about the issue the following night. The police have been instructed not to issue further tickets along that stretch of Sheridan until the matter is resolved. Chief Cottrell stated that the ultimate solution, if there is a boundary issue, may be to obtain a quit claim deed from Denver. It was noted that Denver does not think it is their property and does not maintain it.

Finance Commissioner John Giese reported that Town revenues through July were at 85% of budget. Expenses were at 60% of budget. This reflects the fact that most of the property tax revenues are received through the middle part of the year, although expenses are spread out throughout the year. Total assets are \$306,740 to date for 2011 versus \$258,040 at the same point last year. The Board approved the July financial statements. McLaughlin/Tulloch/Unanimous

Building Commissioner Elizabeth Tulloch reported that there was not much building permit activity in July, possibly because the ACC did not meet that month. She is investigating some unpermitted remodeling work. She will decide whether it is appropriate to issue a stop work order and if necessary enforce through the police. .

Parks & Recreation Commissioner Carrie McLaughlin reported that work on Town open space areas during July focused on minor repairs to irrigation and making sure sufficient water was getting to landscaped areas. She is reviewing the water and electrical bills to Town parcels to compare usage to prior years. The re-landscaping project at the far west end of Bow Mar Drive has been completed.

She discussed the issue of an XCEL contractor digging trenches in several homeowners' yards as the result of a power outage. Commissioners McLaughlin, Tulloch and Town Clerk Reutzel were all involved. The Town will speak with XCEL's representative about homeowners getting advanced notice about such work and to find out what is going on with power outages. The history of the pump house, which is owned by the Town, was discussed.

Public Works Commissioner McKittrick reported that July was a quiet month for road repairs. However, a major split at the bottom of Wagon Trail and Prospect has expanded over the last two months. The Board agreed the split should be repaired as a safety issue, even though the Town road repair budget has been expended. Mayor Rick Pilgrim mentioned there were a few other places that need to be repaired as well. There is some non-recurring income which could be allocated to those repairs.

Intergovernmental Commissioner Rick Wilkins was out of town and absent. The next DRCOG meeting is Wednesday. Mayor Pilgrim may attend.

Clerk Comments Town Clerk Karen Reutzel reported that the next regular meeting of the Trustees will be held on September 19. The draft of the Town audit has been reviewed and there were no significant comments. The auditors will make their report to the Board in September. She discussed a proposal to relocate the location for the posting of Town Trustee meeting notices. She proposed moving the posting location outside the Beach gates to the right of the entry to the Beach and will work on a proposal for accomplishing that task. Notice of regular meetings is posted on the website.

Attorney Comments Town Attorney Hugh Gottschalk was absent due to a work conflict.

Mayor's Report Mayor Rick Pilgrim reported that he was participating in the Mayor of Denver's State of the City luncheon as a speaker. He'll be speaking about transit, water conservation and other issues facing the Denver metro region.

BMOI Report BMOI President Jane Carlson reported that there are 5 new families in Town with three houses sold and two new renters. Three families are going to join BMOI so far. Beach hours are shortened now as school has resumed, and she was pleased to report that Keith Warner has decided to come back next year as beach manager. She said the Beach has been heavily used this year. Pancake breakfast served 170 people on Sunday. She also reported that the new canoe racks have been completed.

President Carlson addressed the status of the citizen group's attempt to amend the covenants to permit the keeping of chicken hens. Several neighbors have recently expressed their concerns about allowing chickens in the neighborhood to both BMOI and the Town. She explained that if the group does not get the required signatures by Labor Day, BMOI will write a letter to chicken owners requesting the immediate removal of their chickens. Mayor Pilgrim added that the Town would also enforce under the current Town ordinance. If they do get the signatures, she hopes the Town Board will deal with ordinance issue one way or the other in a very expedient manner. Mayor Pilgrim emphasized that there will need to be a very enforceable ordinance if it is to be changed, and enforcement must be at no cost to the Town.

Commissioner McLaughlin expressed concern about people from out of the neighborhood using the beach for beach concerts and that excessive advertising of events at the entrances could be a public safety concern.

Old Business

King Property Development Update – Mayor Pilgrim reported that the Town Engineer, Vision Land Consultants, has been reviewing the most recent preliminary plat submittal from the King Estates group which addresses the Town's previous comments. A meeting between Mayor Pilgrim, Commissioner McKittrick and the engineer was set for the afternoon of August 24 at the Town Clerk's office to discuss the submittal package.

Discussion and Possible Action Regarding a Resolution Calling an Election on November 1, 2011 to Authorize the Issuance of General Obligation Bonds to Finance Road Repairs and Repaving Pursuant to the 2011 Street Pavement Preservation and Reconstruction Program-

Commissioner McKittrick discussed the proposed bond resolution and ballot issue which seeks approval of the issuance of \$3.2 Million in general obligation bonds to fund the road reconstruction plan outlined in the Town Engineer's 2011 Street Pavement Preservation and Reconstruction Program (posted on the Town website). The amount sought would fund the mid-range proposal outlined in the report. The Board discussed the alternatives raised by a resident during the public comment period and determined that consulting with asphalt contractors is what was done two years ago. This solution was not deemed sufficient for voters who wanted an engineered plan and the prior bond issue was defeated. The Board also discussed the disadvantages of chip sealing – because we do not have curb and gutter, the chips are not retained on the road and can clog the culverts. In addition, a chip sealed surface is considered unsatisfactory for bikers, runners and others.

Commissioner Giese commended Commissioner McKittrick for the due diligence work he has undertaken on the project, including obtaining specific engineering data, public comment and extensive follow-up. He noted that the Town's infrastructure is extremely important – it is the Town's biggest asset – and the condition of the roads affects property values as well as ingress and egress from the Town. Next to the police, maintaining our roads is our biggest expenditure. The Board agreed and determined that pursuing the repaving project is in the best interest of the Town. A motion was made for the adoption of the bond resolution and ballot question which will be determined by the voters at the general election on November 1. The motion passed after a roll call vote:

Giese – yes	Guilford - yes	McLaughlin - yes
McKittrick – yes	Tulloch – yes	Wilkins – absent

Commissioner McKittrick also reported that an independent steering committee has formed to promote passage of the ballot issue.

Discussion and Possible Action to Adopt IGAs with Arapahoe and Jefferson Counties for Coordination of November Election-

The Board reviewed the proposed intergovernmental agreements with Arapahoe and Jefferson Counties to coordinate the bond issue election and to mail the required TABOR notices.

A motion was made and approved to enter into the IGAs with Arapahoe County.
Guilford/McKittrick/Unanimous.

A motion was made and approved to enter into the IGAs with Jefferson County.
Giese/McLaughlin/Unanimous.

Town Clerk Reutzel reported that Jefferson County will be holding an all mail ballot election and Arapahoe County is holding a vote center election – however any Arapahoe County elector who has requested a mail ballot may vote by mail. She will put a detailed notice in the Bulletin about the election at the appropriate time.

Discussion and Possible Action to Approve Proposed Allied Waste Franchise Agreement
The Board reviewed the contract with Republic Services to provide trash pickup and recycling services to Town residents under a set pricing schedule and level of service. A motion was made and approved to execute the contract as written.
Giese/Tulloch/Unanimous.

Republic will be contacting residents individually to get them set up under the new pricing structure.

Discussion of 2012 Budget Process – Commissioner John Giese provided budget worksheets to the Trustees and Town Clerk which need to be returned by September 10. He noted that the focus needs to be on the operating budget because non-recurring revenue, such as building permit revenue, cannot be accurately forecasted.

Adjournment There being no further business the meeting was adjourned at 9:17 p.m. Giese/McKittrick/Unanimous. The next Regular Meeting is scheduled for September 19, 2011 at No. 2 Middlefield Road, Columbine Valley, CO. The meeting will begin at 7:00 p.m.



Richard D. Pilgrim, Mayor



Karen V. Reutzel, Town Clerk and Treasurer